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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GENE A. ALLEN,

Petitioner,

vs.

JAMES G. COX, *et al.*,

Respondents.

3:14-cv-00510-RCJ-VPC

ORDER

14 Petitioner, a Nevada state prisoner, filed a purported habeas petition in the United States District
15 Court for the District of Arizona (#1). That court granted petitioner's application to proceed *in forma*
16 *pauperis* and denied several other motions, including a motion for appointment of counsel, and then
17 transferred the case to this court (#16).

18 While not clear, petitioner may seek to challenge the denial of parole. However, the petition is
19 not on the court's form. Moreover, it appears to be several documents intermingled, with some pages
20 of some type of habeas form, other pages appear to be a form motion for appointment of counsel, and
21 other pages appear to be copies of one or more prison grievances. Under LSR 3-1 of the local rules,
22 petitioner must file a habeas petition on the court's required § 2254 petition form. Accordingly,
23 petitioner, a prolific filer in this and other federal district courts, shall file a new petition on the court's
24 § 2254 form within thirty days of the date of this order.

25 Finally, the court notes that if petitioner moves this court for counsel, he must set forth
26 specifically how the complexities of his case are such that denial of counsel would amount to a denial
27 of due process, that he suffers from mental illness or deficiencies or is of such limited education as to
28 be incapable of fairly presenting his claims. *Chaney v. Lewis*, 801 F.2d 1191, 1196 (9th Cir.1986); *see*

1 *also Hawkins v. Bennett*, 423 F.2d 948 (8th Cir.1970).

2 **IT IS THEREFORE ORDERED** that within **thirty (30) days** of the date of this order
3 petitioner **SHALL FILE** a new petition on the court's form. Failure to do so may result in the
4 dismissal of this action.

5 **IT IS FURTHER ORDERED** that the Clerk of Court shall SEND petitioner two copies each
6 of a § 2254 habeas petition form, along with one copy of the instructions for the form and of the papers
7 he submitted at docket #1.

8 **IT IS FURTHER ORDERED** that the petitioner's application for entry of default (#10) is
9 **DENIED**.

10 **IT IS FURTHER ORDERED** that petitioner's motion for district judge to reconsider (#18)
11 is **DENIED** without prejudice to petitioner's filing a new motion for appointment of counsel with this
12 court.

13 Dated: This 29th day of October, 2014.

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16 UNITED STATES DISTRICT JUDGE
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